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## CHAPTER 7 TRAFFIC CODE

7.01 **STATE TRAFFIC LAWS ADOPTED.** Except as otherwise specifically provided in this chapter, the provisions in Section 287.81 and Chs. 340 through 348, 350 and 941, Wis. Stats., and Trans 305, 325 and 327 of the Wisconsin Administrative Code, inclusive of any provisions therein relating to penalties being imposed and procedure for prosecution, but exclusive of any penalty which is a term of imprisonment, are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute or rule incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes or rules incorporated herein are made part of this chapter in order to secure uniform statewide regulation of traffic in the State.

7.02 **SPEED LIMITS.** The City Council hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under authority granted by §349.11, Wis. Stats., as follows:

(1) **SPEED LIMITS INCREASED.** Speed limits established by §346.57(4)(e), (f) and (g), Wis. Stats., are increased as set forth below:

(a) 30 mph.

**Campus Drive.** That portion which lies east of Prairie Rd.

**Fond du Lac Ave.** That portion beginning at the intersection of E. 11th St. and extending south to CTH "V".

**Johnson St. (STH 23).** From the west City limits to a point 300' east of Elm Acres Dr. on the east.

**Main St.** That portion lying between 14th St. and the south City limits.

**Scott St.** From a point 300' west of Van Dyne Rd. to the point of intersection with Winnebago Dr. and on Winnebago Dr. from such point of intersection to Mohawk Ave.

**Winnebago Dr.** That portion lying between Mohawk Ave. and the DeNeveu Creek bridge.

(b) 35 mph.

**Hickory St.** From Pioneer Road to a point 2300' north.

**Johnson St. (STH 23).** From the east line of Elm Acres Subdivision to the east City limits.

**Johnson St., W.** From Peters Ave. to U.S. Highway 41.

**Winnebago Dr.** That portion beginning at the DeNeveu Creek bridge and extending southeasterly to the City limits.

## TRAFFIC CODE 7.02(2)

(c) 45 mph. **Fond du Lac Ave.** From CTH "V" to City limits.

(2) **FIXED SPEED LIMITS.** The speed limit shall be 15 mph on any City street contiguous or adjacent to a public park or recreation area when children are going to or from or are playing within such area. Adequate signs providing notice to motorists shall be maintained at such points where persons traversing the street or highway would enter the area from an area where a different speed limit is in effect.

(3) **SPEED LIMITS DECREASED.** Speed limits established by §346.57(4)(e), (f) and (g), Wis. Stats., are decreased as set forth below:

(a) 15 mph.

**Sunset Circle.**

**Luco Road and Prairie Road** - the access roads to Fond du Lac High School connecting Luco Road with Prairie Road.

**University Drive** - from intersection with south Campus Drive northerly to the south end of the north parking lot of UW-Fond du Lac

7.03 **THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS.** (1) **THROUGH HIGHWAYS.** In the interest of public safety and pursuant to authority granted by Wisconsin law, the highways or portions thereof listed in Schedule A are declared to be through highways.

(2) **CONTROLLED INTERSECTIONS DESIGNATED.** In the interest of public safety, the intersections listed in Schedule B are declared controlled intersections and traffic control signals shall be installed thereon in conformity with the Wisconsin Official Traffic Control Device Manual and the provisions of this chapter.

(3) **YIELD SIGNS TO BE ERECTED.** The Director of Public Works is authorized to erect yield right-of-way signs conforming to the Wisconsin Official Traffic Control Device Manual at the intersections on highways in the exclusive jurisdiction of the City as listed in Schedule C, provided that if the intersected highway is part of a through highway designated under sub. (1), the provisions of §349.07(7), Wis. Stats., apply.

7.04 **ONE-WAY STREETS.** Pursuant to §349.10, Wis. Stats., the streets and parts thereof as listed on Schedule D are declared to be one-way streets and no person shall operate any vehicle thereon, except in the indicated direction.

7.05 **PARKING, STOPPING AND STANDING REGULATED.** (1) **PARKING PROHIBITED AT ALL TIMES.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle upon any of the highways or parts of highways listed in Schedule E.

## **TRAFFIC CODE 7.05(2)**

(2) **PARKING PROHIBITED DURING CERTAIN PERIODS.** No person shall park or leave standing any vehicle upon any of the highways or parts of highways at the time indicated, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers, as listed in Schedule F.

(3) **PARKING, STOPPING OR STANDING PROHIBITED.** No person shall park, stop or leave standing any vehicle for any purpose at any time upon the highways or parts of highways listed in Schedule G.

(4) **NO PARKING, EXCEPT FOR AUTHORIZED VEHICLES.** Except as herein permitted, no person shall park, stop or leave standing any vehicle in the following places, unless authorized by permit issued by the City or by an official traffic control sign:

- (a) In any loading zones as listed in Schedule H.
- (b) In any City park, parkway, recreation area or public cemetery.
- (c) On any drive through any City park, parkway, recreation area or public cemetery.
- (d) At any curb or other area marked as a bus or taxi stop or stand as listed in Schedule I.
- (e) In unmetered parking stalls in City parking lots or ramps.
- (f) At the curb on the side of any roadway in any block posted "Parking by Permit Only."

(5) **LIMITED TIME PARKING.** (a) When official traffic control devices or parking meters are erected in any block giving notice thereof, no person shall park, stop or leave standing any vehicle, whether attended or unattended, for more than the indicated time periods on any of the highways or parts thereof listed in Schedule J.

(b) The provisions of this Section 7.05(5) shall not apply to a vehicle displaying a valid permit and parked, stopped or left standing for more than the indicated time periods or parts thereof listed in Schedule J.

(c) A resident of each household on the parts thereof may file an application with the City Clerk for a permit to park a vehicle in excess of the indicated time period on the above described highways or parts thereof listed in Schedule J. If the application meets the requirements of this Section 7.05 (5) (b), the City Clerk shall issue such permit. The City Clerk shall determine the type of parking permit for the property owner and/or resident.

(d) Permits issued under subsection (c) above shall only be valid in an area located within 200 feet of permittee's residence. Persons parking outside this area shall be subject to all applicable time restrictions.

## TRAFFIC CODE 7.05(6)

(e) No persons shall sell or transfer a permit issued under subsection (c) or falsify an application or permit, or take any other action that would result in an ineligible person receiving a permit. Any person convicted of a violation of this provision shall be penalized pursuant to §25.04 of this Code.

(f) Any person convicted of three violations of subsections (d) and (e) shall have his or her permit suspended for one year. Additional violations may result in a revocation of the permit.

(6) **ANGLE PARKING.** Angle parking shall be permitted on Court St., south side, from west curb line of Main St. to east curb line of Macy St.

(7) **ALL NIGHT AND EMERGENCY PARKING.** (a) Night Parking. 1. Winter Parking. No person shall park on any street during the months of November 15th through March 15th, between 8 p.m. and 8 a.m., except in the following manner:

a. From 8 p.m. of an even calendar date to 8 a.m. the following day, parking shall only be permitted on the even-numbered side of the street.

b. From 8 p.m. of an odd calendar date to 8 a.m. the following day, parking shall only be permitted on the odd-numbered side of the street.

c. The provisions of this ordinance shall supersede over conflicting parking restrictions during the months and time periods that it is in effect.

2. **Metered Areas.** No person shall park any vehicle for longer than 60 minutes between the hours of 2 a.m. and 6 a.m. upon any portion of the streets or highways of the City where the parking upon which is regulated by meters.

(b) Snow Emergency Traffic Regulations. 1. **Declaration of Snow Emergency; Plowing of Streets.** There is hereby declared an emergency to exist in the City by reason of heavy snowfall whenever snow falls during any period of 24 hours or less to a depth of 3" or more in that such snowfall constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health and police protection and other vital facilities of the City. Such emergency is declared to continue for a period of 48 hours from the time it is announced or until such earlier time as snowplowing operations have been declared completed. Whenever such an emergency exists and the proper City officials shall have caused announcement thereof to be made by at least one radio station whose normal operating range covers the City, no operator or owner shall park or suffer or permit a vehicle to be parked so as to interfere with snowplowing operations on the City streets. If the owner or operator of such vehicle shall not attend to its removal, the Police Department is authorized to move such vehicle to some suitable location at the owner's expense so as not to interfere with snowplowing.

2. **Parking During Snow Removal Period.** When after any snowfall which the Director of Public Works and Chief of Police shall deem to be sufficiently heavy to necessitate its removal from the vehicular traveled portion of the streets, the Chief of



## TRAFFIC CODE 7.05(7)(b)(3)

Police shall immediately establish "no parking" zones on any streets where such snow removal operation will be taking place. Such "no parking" areas shall be marked with appropriate moveable signs not less than 4 hours prior to the commencement of the snow removal operation and such streets may be shut off and blocked at all times while the crews are operating thereon. The operator of a motor vehicle shall check his vehicle after each snowfall to determine whether it is parked in an area from which snow is to be removed and, if in such area, such vehicle shall be removed immediately. If the owner or operator of such vehicle shall not attend to its removal, the Police Department is authorized to move such vehicle to some suitable location at the owner's expense so as not to interfere with snow removal.

3. Streets Narrowed by Excessive Snow. When after any snowfall and snowplowing operation a street or portion thereof is sufficiently narrowed by excessive snow having been plowed toward the curbing so as to constitute a serious public hazard impairing transportation and the movement of vehicular traffic, the Chief of Police shall immediately place appropriate moveable signs thereon restricting parking on such street until such hazard is eliminated, whereupon no person shall park a vehicle on such street contrary to the restrictions on such signs.

(c) Purpose. It is the intent to impose the restrictions set forth in this subsection in order to facilitate snow removal, street cleaning and policing functions of the City government.

(8) PARKING METERS. (a) Definitions. Terms used in this subsection shall have the following meanings:

**Operator.** Every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner or is in actual physical control of a vehicle.

**Parking.** The stopping or standing of a vehicle, whether occupied or not, upon a street otherwise than in obedience to traffic regulations or official traffic signs or signals.

**Parking Meter.** Any automatic device or meter not inconsistent with this subsection placed or erected for the regulation of parking by authority of this subsection. Each parking meter installed shall indicate by proper legend the legal parking time established by the City and when operated shall at all times indicate the balance of legal parking time and at the expiration of such period shall indicate illegal or overtime parking.

**Parking Meter Space.** Any space within a parking meter zone adjacent to a parking meter and which is designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

## TRAFFIC CODE 7.05(8)(b)

**Parking Meter Zone.** Any restricted street upon which parking meters are installed and in operation.

**Street.** Any public street, avenue, road, alley, highway, lane, path or other public place located in the City and established for the use of vehicles.

**Vehicle.** Any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(b) Parking System Utility. 1. The City municipal parking system consists of off-street parking facilities situated in the following locations:

a. Sophia St. Lot. All that part of Block 1 in George McWilliam's Addition No. 2 and Block 5 in Van Renselaer's Addition to the City of Fond du Lac, Wisconsin, lying within that area bounded on the west by Sophia St., on the east by the east branch of the Fond du Lac River and on the south by Forest Ave., on the north by a line described as follows: Beginning at a point on the east line of Sophia St. 13' north of the southwest corner of Lot 4 of Block 1 of George McWilliam's Addition; thence due east at right angles to Sophia St. a distance of 140'; thence due south 18'; thence due east 50.30' to the east branch of the Fond du Lac River.

b. S. Portland St., Marr St. Lot (south of library). All of Lots 8, 9, 11 and 12 in Block 2 of Moore's Addition; and the north 14.33' of Lot 1, all of Lots 2, 3, 4 and 5 and Lot 6, except the east 2' of the south 45' thereof, in Block "B" of Darling's Addition No. 2, all in the City of Fond du Lac, Wisconsin, and containing 1.6 acres of land, more or less.

c. W. Second St. and Macy St. Parking Lot. All that part of Block "L" of Darling's Addition to the City of Fond du Lac, together with part of unplatted lands in Section 15, T15N R17E, described as follows: Beginning at a point on the west line of Court St. 267.25' north of the north line of Western Ave., and running thence north along said west line 28'; thence west 65.72'; thence north and parallel to the west line of Court St. 67.03'; thence east along the north line of the south 5' of Lot 10, Block "L" of Darling's Addition 152.72'; thence north along the west line of Macy St. 335'; thence west along the south line of W. Second St. 255'; thence south 180' to a point 255' west of the west line of Second St.; thence west 46', more or less, to the east right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company; thence southerly along said east railway right-of-way line 230', more or less, to a point 333.43' from Western Ave. (as measured along said right-of-way line); thence east 307.09' to the place of beginning.

d. N. Portland St. Between E. Division and E. Merrill Ave. Lots 6, 18, 19, 20, the north 10' of Lot 17, the south 8' of Lot 21 and the south 2' of the north 52' of the west 45' of said Lot 21, all in Block 2 of Van Renselaer's Addition to the City of Fond du Lac, Wisconsin.

## **TRAFFIC CODE 7.05(8)(b)**

- e. E. First St., (steam laundry area). Lot 5, the north 100' of Lot 4 and the west 50' of Lot 14, all in Block "E" of Darling's Addition to the City of Fond du Lac, Wisconsin.
- f. E. First St. (Bonita Lot). The east 101' of Lot 4 and all of Lots 5, 26 and 27 in Block "A" of Darling's Addition to the City of Fond du Lac, Wisconsin.
- g. N. Fourth St. Parking Lot. The east 18' of Lot 14 and all of Lots 15 and 16 of Block "N" of Darling's Addition to the City of Fond du Lac, Wisconsin.
- h. Water Reservoir Lot. The west 48' of Lot 37, all of Lot 38, the east 50' of Lot 39, the south 96' of Lots 49 and 50, the south 96' of the east 46' of Lot 48 and all of that part of the vacated east-west alley lying immediately south of said Lots 50, 49 and the east 46' of Lot 48, all lying in Block 27 of the original plat in the City of Fond du Lac, Wisconsin.
- i. Lot 4 of Block "H" of Darling's Addition to the City of Fond du Lac (formerly known as 30-32 E. Second St.)
- j. E. Fourth and Main St. Parking Lot. That part of the Fourth St. right-of-way described as follows: Beginning at the southwest corner of Lot 11 of Block "N" of Darling's Addition; thence east along the north line of Fourth St. 140'; thence south 66' to the south line of Fourth St; thence west 140' to the northwest corner of Lot 8 of Block "Q" of said Darling's Addition; thence north 66' to the place of beginning.
- k. S. Fourth St. Parking Lot. That part of Lot 6 and the west 22.75' of Lot 5 of Block "Q" of Darling's Addition lying south of the relocated Fourth St. right-of-way.
- l. E. First St. - (YMCA Parking Lot). All of Lot 7 and the north 24' of Lot 12 of Block "E" of Darling's Addition in the City of Fond du Lac, Wisconsin.
- m. S. Macy St. Parking Lot (Zinke-Treleven). All that land bounded on the east by Macy St., bounded on the north by Division St., bounded on the south by Forest Ave. and bounded on the west by railroad right-of-way.
- n. N. Macy St. Parking Lot (Birite). All that land bounded on the east by Macy St., bounded on the south by Division St., bounded on the north by the north line of Lot 21 of the "Subdivision of Tract 38" and on the west by the railroad right-of-way.
- o. S. Macy (Huber parking lot). The west 100' of Lot 16 and the west 100' of the north 25' of Lot 15, all in Block 4 of Van Renselaer's Addition.
- p. E. Second St. Parking Lot. Located on the south side between S. Main and Marr Sts.

## **TRAFFIC CODE 7.05(8)(b)2**

q. Macy St. Parking Ramp. Located off Macy St. between Division and Forest Ave.

r. City-County Government Center Complex. Located south of Second St.; west of Macy St.; north of Western Ave; east of the Fond du Lac River - east branch; also municipal Lot 23 within the block bounded by Western Ave.; Linden St., Elm St. and South St.

s. Darling Pl., west side, between W. First St. and Forest Ave.

2. The parking system includes on-street parking facilities with meters situated as follows, except those no parking zones outlined in Schedule E:

Adams St., west side, between First St. extending northerly to end of street.

Court St., both sides, from S. Main St. to Macy St.

Division St., north side, between Marr St. and Macy St.

Division St., south side, between Amory St. and Main St.

Fifth St., both sides from S. Main St. east 150'.

First St., between Marr St. on the east and the Fond du Lac River on the west.

First St., E., north side between Marr and Adams Sts.

Forest Ave., between Main St. on the east and Fond du Lac River on the west.

Fourth St., both sides, between S. Main and Marr Sts.

Macy St., both sides, between W. Division and Court Sts.

Macy St., east side, from W. Division St. to W. Merrill Ave.

Macy St., S., west side, from a point 60' north of Western Ave., north 128'.

Main St., both sides, between South St. and Johnson St. (12-Minute Meters Only)

Marr St., S., both sides, between E. Division St. and Fourth St., except S. Marr St., west side, 105' south of south curb line of E. Second St.

Merrill Ave., both sides, between Portland St. and N. Macy St.

## **TRAFFIC CODE 7.05(8)(b)2**

Ninth St., W., north side, from Fruth Field House westerly to Morris St.

Portland St., both sides, from E. First St. on the south to Merrill Ave. on the north, except the area between E. Division St. and E. Merrill Ave. is not included until the public parking lot bounded by E. Division St., E. Merrill Ave., Marr St. and Portland St. is completed or until December 31, 1962, whichever is sooner.

Second St., both sides, between Marr St. on the east and Military Rd. on the west, except E. Second St., south side, 117' west of west curb line of S. Marr St.

Second St., E., and Marr St., abutting City Hall property.

Second St., W., south side, from a point 60' east of Macy St., east 82'.

Sheboygan St. between Marr St. on the east and Main St. on the west.

Sheboygan St., south side, from a point 199' east of the east curb line of S. Marr St. east 96'.

Third St., between S. Main St. and Marr St, except E. Third St., north side, 145' west of west curb line of S. Marr St.

Western Ave., south side, between S. Main St. and Linden St. and on the north side between S. Main St. and Court St.

3. The parking system includes separate on-street non-metered parking zones on Main Street, both sides, between Second Street and Division Street; Main Street from Division Street to Merrill Avenue; and Main Street from Second Street to Western Avenue, with a 2-hour time limit as provided in Schedule J, except those no parking zones outlined in Schedule E. The purpose of these non-metered parking facilities is specifically to service downtown customers and clients, not downtown employees and business owners.

4. The municipal parking system of the City consisting of the parking facilities described in this paragraph and together with all property, real and personal appurtenant thereto, and including all other parking facilities hereafter acquired or constructed, shall constitute a public utility within the purview of §66.068, Wis. Stats.

5. The parking utility shall be under the management of the City Manager.

6. While any bonds payable from the revenues of such parking utility are outstanding, the collection, security and disbursement of parking revenues shall be

## **TRAFFIC CODE 7.05(8)(c)**

subject to the provisions and covenants of the ordinance or ordinances authorizing such parking revenue bonds.

(c) Designation of Parking Spaces. The Police Department is hereby directed and authorized to mark off individual parking spaces in the parking zones, such parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off, no person shall park any vehicle in such a way that such vehicle shall not be entirely within the limits of the space so designated.

(d) Installation of Parking Meters. In the parking meter zones the Council shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces, placed not more than 2' from the curb nor more than 4' from the front line of the parking space as indicated. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States, for the period of time prescribed by this subsection. Each device shall be so arranged that upon the expiration of the lawful time limit, it will indicate by a proper visible signal that the parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties provided in this section.

(e) Disposition of Parking Meter Revenue. The parking meter and off-street parking trust fund shall be maintained as a separate account from other City accounts. The original cost of the parking meters, costs of replacement, repairs, supervision, which includes the costs of collection and administration shall be chargeable to the parking meter and off-street parking trust account. Any unexpended balances in the fund are not to become part of the general fund of the City, but shall remain in trust for the purchase of such off-street parking facilities as the Council may direct. All earnings upon investment of the funds shall, when received, be and constitute an addition to the fund.

(f) Operation of Parking Meters. Except in a period of emergency determined by an officer of the Fire or Police Department or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall set in operation the timing mechanism on such meter and failure to deposit such proper coin shall constitute a violation of this subsection. Upon the deposit of such coin, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located, providing that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If the vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking, if the meter shall indicate such time limit set for such parking and if the meter shall indicate such illegal parking, then such vehicle shall be considered as

## TRAFFIC CODE 7.05(8)(g)

parking overtime and beyond the period of legal parking time and such parking shall be deemed a violation of this subsection.

(g) Rental Charges. 1. On-Street Meter Rentals. On-street meter rental shall be at the rate of \$.50 per hour, with the following \$.35 per hour, 4-hour and 10-hour meter, exceptions to the standard rental charge:

- a. Marr St.
- b. Portland Street.
- c. Adams Street.
- d. Merrill Avenue.
- e. Macy Street.

2. Off-Street Meter Rentals. Off-street meter rental shall be at the rate of \$.50 per hour, with the exception of 4-hour and 10-hour meters in Parking Lots 7, 12, and 17, which shall be at the rate of \$.35 per hour.

3. Off-Street Permit Rentals. Permit fees shall be \$26 per month per vehicle, including sales tax, with the following exceptions:

- a. \$10 per month: Parking Lot 17.
- b. \$12 per month: Parking Lots 1, 7.
- c. \$16 per month: Parking Lots 9, 10, 11, and 14.
- d. \$18 per month: Parking Lots 3, 13.

4. City-County Government Center Parking. Employee parking in lots designated for the City-County Government Center shall be by permit only.

5. On-Street Permit Parking Charges. Permit fees on a monthly basis, including sales tax, shall be \$8 per month on the Adams St. on-street permit parking area.

(h) Parking Time Limits. 1. Parking or standing a vehicle in a designated space in a parking meter zone shall be lawful for the period of time and upon the deposit of the fee required as shall be clearly indicated on the meter controlling any such designated parking space.

2. Parking meters shall be operated between 8 a.m. and 5 p.m., Monday through Friday, except the following legal holidays: New Year's Day, Memorial Day, July 4, Labor Day, Christmas Day and Thanksgiving Day.

3. Permit time limits shall be from 7 a.m. to 5 p.m., Monday through Friday, except the following legal holidays: New Year's Day, Memorial Day, July 4, Labor Day, Christmas Day and Thanksgiving Day.

## TRAFFIC CODE 7.05(8)(i)

(i) Violations. No person shall:

1. Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described including, for the purposes of this section, Main Street between Johnson Street and Western Avenue; or deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

2. Extend the parking time that any car shall occupy a parking meter zone by further deposits of coins and parked vehicles shall be removed promptly by the operator on the expiration of the parking period as provided by this subsection.

3. Permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the maximum legal parking time prescribed for such parking space or to move a vehicle out of and back into such a zone with the signal so indicated.

4. Park in any one space, or in any combination of spaces, for more than two hours during the times prohibited in Schedule J in the non-metered on-street parking zone on Main Street, from Second Street to Division Street; or park in any one space, or in any combination of spaces, for more than two hours during the times prohibited in Schedule J in the non-metered on-street parking zone on Main Street from Division Street to Merrill Avenue; or park in any one space, or in any combination of spaces, for more than two hours during the times prohibited in Schedule J in the non-metered on-street parking zone on Main Street from Second Street to Western Avenue.

5. Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

6. Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this subsection.

7. Deposit or cause to be deposited in any parking meter any slugs, device or metal substance or other substitute for lawful coins of the United States.

8. Be in or on the property of any City parking ramp other than as a patron. Those authorized personnel of the City are deemed patrons under this regulation.

9. Drink from or have in their possession any open container of fermented malt beverage, wine or intoxicating liquor.



## TRAFFIC CODE 7.05(8)(j)10

10. Operate a vehicle in any public parking lot or ramp in an unsafe manner which shall constitute a violation of §9.01 of this Code of Ordinances.

11. Park any motor vehicle in any public parking lot or ramp more than 24 hours without payment of the daily parking fee. Any motor vehicle remaining in a public parking lot or ramp over 24 hours without payment of the daily fee may be subject to tow-away under §7.08 of this chapter.

12. a. Visitors. No visitors to the City/County Government Center or Safety Building shall park in areas designated for employees or officials without possessing a proper permit for that area.

b. Employees/Officials. Employees or officials located at the City/County Government Center or Safety Building possessing valid parking permits for designated lots or areas shall not park in any other areas during their hours of employment.

13. Use any City parking lot or ramp for ball playing, jogging, bike riding, jumping rope, roller skating or any other athletic, sporting or playground activity.

(j) Enforcement. The Police Department shall enforce the provisions of this chapter.

(k) Penalty. 1. Any person violating the provisions of subpars. (i) 1., 2., 3., 4. and 5. who receives a notice of parking violation may within 10 days from date of violation, pay to the City as a penalty for and in full satisfaction of such violation the following sums:

1st violation .....	\$ 10.00
2nd violation	
(within one year of 1 previous violation).....	\$ 15.00
3rd violation	
(within one year of 2 previous violations).....	\$ 20.00
4th violation or more	
(within one year of 3 or more previous violations).....	\$ 50.00

After this 10-day period the penalty for each offense shall be increased by \$10.00.

2. Any person who shall be adjudicated of having violated any provision of this subsection other than subpar. 1. above shall be subject to a penalty as provided in §25.04 of this Code of Ordinances.

## TRAFFIC CODE 7.05(9)

(9) REMOVAL OF ILLEGALLY PARKED VEHICLES CONSTITUTING A TRAFFIC HAZARD. Whenever any police officer finds a vehicle in or upon a street illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard or obstruction, blocks the use of a fire hydrant, loading zone or may obstruct the movement of any emergency vehicle, he is hereby authorized to remove or have removed and towed away by commercial towing service such illegally parked vehicle. Any reasonable expense incurred in the removal or in the keeping of such vehicle shall be paid by the operator or owner thereof before such vehicle is released to him.

(10) 24 HOUR PARKING PROHIBITED. Notwithstanding any other provisions of this section, no vehicle shall be parked for longer than 24 hours in any one location upon a City street or highway.

(11) LEAVING OF IGNITION KEYS IN PARKED CAR. (a) No person shall park a passenger automobile within the City limits that is not equipped with a lock suitable to lock either the starting lever, throttle, steering apparatus, gear shift lever or ignition system. Furthermore, no person shall allow a passenger automobile in his custody or control to stand or remain unattended by a licensed driver on any street, alley, highway or any other public place within the City limits, except an attended parking area, unless all the car doors are locked or the starting lever, throttle, steering apparatus, gear shift or ignition of such vehicle is locked and the key removed from the vehicle.

(b) Any person violating the provisions of par. (a) shall be issued a nonmoving traffic citation in conformity with §7.21(1) of this chapter and §345.28, Wis. Stats. The penalty shall be the amount set for nonmoving violations in §7.20(4) of this chapter.

(12) NO PARKING ON POSTED PARADE ROUTES. No person shall park, stop or leave standing any vehicle on any posted parade route, except for homecoming parades.

(13) SCHOOL SAFETY ZONES. (a) A School Safety Zone shall be an area designated as no parking, stopping or standing of a vehicle adjacent to an elementary school. The area designated as a School Safety Zone shall be identified with signs and curb markings that indicate that no motor vehicle shall be located in the Zone. The Zone can be no larger than 150 feet and directly adjacent to the school property. A marked crosswalk for access to or from the school shall be located within the Zone. The School Safety Zone regulations shall only apply during the hours of 7:45 a.m. to 3:45 p.m. on school days. The following areas are designated as School Safety Zones:

AMORY ST., West side, from the north back of walk of Merrill Avenue to 50' northerly thereof.

ARNDT ST., W., North side, from N. Bell St. to 120' east.

ARNDT ST., W., South side, from N. Bell St. to 120' west.

## TRAFFIC CODE 7.05(13)(b)

ARNDT ST., W., South side, from 157' west of the west back of walk on North Macy St. to 20' westerly thereof.

LINDEN ST., West side, from the south parking lot driveway to Riverside Elementary School to 20' north of the north driveway.

PRAIRIE ROAD, N., East side, from the south back of walk of Whippoorwill Lane to 80' southerly thereof.

STOW ST., South side, from Weis Ave. to 80' west.

WEIS AVE., West side, expand the existing school safety zone by extending it to 40' south of the service drive to Rosenow Elementary School.

(b) Each school may mark the School Safety Zone with portable stop signs at the crosswalk. The administrator of any school that installs portable stop signs shall have the responsibility for the daily installation and removal of said signs. The school system shall be responsible for any liability insurance because of improper placement, installation or removal of said signs and shall hold the City harmless therefor.

(c) Any person stopping, standing, or parking in a School Safety Zone or at a school bus loading zone shall be subject to a forfeiture of \$30 for each violation or, in the alternative, may be subject to applicable forfeitures and costs contained in the moving vehicle traffic code of the Wisconsin Statutes.

**7.06 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES.** (1) **HEAVY TRAFFIC ROUTES DESIGNATED.** Pursuant to §349.17, Wis. Stats., streets and highways listed on Schedule L are declared to be heavy traffic routes.

(2) **TRUCKS PERMITTED ON HEAVY TRAFFIC ROUTES.** All trucks and loads otherwise permitted under the weight and load restrictions of Ch. 348, Wis. Stats., which sections are hereby adopted by way of reference thereto so far as applicable, shall be allowed to proceed on and travel over and along the heavy traffic routes set forth in sub. (1).

(3) **HEAVY TRUCKS PROHIBITED ON OTHER STREETS.** No person shall operate any motor vehicle, the gross weight of which shall exceed 6,000 lbs., upon any public street in the City, except those particularly set forth in sub. (1) above as the heavy traffic route provided, however, that nothing herein contained shall prohibit the ordinary use of any public street or alley for the purpose of obtaining orders for and delivering or moving supplies or other necessary commodities to or from any place of business or residence fronting on such highway or street, nor prohibit the use of any street or alley for the purpose of arriving at such destination where such order is to be taken or delivery is to be made and such vehicle may travel the shortest possible distance on any excluded street in arriving at any destination where orders are to be taken or deliveries made as provided above.

## TRAFFIC CODE 7.07

**7.07 ACCIDENT REPORTS.** The operator of any vehicle involved in an accident shall within 10 days after such accident file with the City Police Department a copy of the report required by §346.70, Wis. Stats., if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this section. Such reports shall be subject to the provisions and limitations in §§346.70(4)(f) and 346.73, Wis. Stats.

**7.08 ABANDONED VEHICLES.** (1) **VEHICLE ABANDONMENT PROHIBITED.** No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or public or private property for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has been left unattended on any City street or highway or on any public or private property within the City without the permission of the owner for more than 72 hours, the vehicle is deemed abandoned and constitutes a public nuisance.

(2) **REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES.** Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under sub. (3), except that if the Chief of Police or his authorized representative determines

that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the City prior to expiration of the impoundment period upon determination by the Chief of Police or his authorized representative that the vehicle is not wanted for evidence or other reason.

(3) **DISPOSAL OF ABANDONED VEHICLES.** (a) Vehicles with Value Over \$500. 1. If the Police Chief or his authorized representative determines that the value of the abandoned vehicle exceeds \$500, he shall notify the owner and lienholders of record by certified mail that the vehicle has been deemed abandoned and impounded by the City and may be reclaimed within 15 days upon payment of accrued towing, storage and notice charges and, if not reclaimed, shall be sold.

2. If an abandoned vehicle determined to exceed \$500 in value is not reclaimed within the period and under the conditions as provided above, it may be sold by sealed bids. The description of the vehicle and the terms of sale shall be published as a Class 1 notice 5 days before the sale.

3. After deducting the expense of impoundment and sale, the balance of the proceeds, if any, shall be paid to the City Treasurer.

(b) Vehicles with Value Less than \$500 (Junk Vehicles) . Any abandoned vehicle which is determined by the Chief of Police or his authorized representative to have a value of less than \$500 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen. The Chief of Police is authorized to promulgate any administrative rules or policies necessary to effectuate the provisions of this section.

## TRAFFIC CODE 7.08(4)

(4) OWNER RESPONSIBLE FOR IMPOUNDMENT AND SALE COSTS. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered by the sale of the vehicle may be recovered in a civil action by the City against the owner.

(5) NOTICE OF SALE OR DISPOSITION. Within 5 days after the sale or disposal of a vehicle as provided in sub. (3), the Police Chief or his authorized representative shall advise the Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposition on a form supplied by the Division. A copy of such form shall also be given to the purchaser of the vehicle. A copy shall also be retained on file in the City.

**7.09 OFFICIAL TRAFFIC SIGNS AND SIGNALS.** (1) DEPARTMENT OF PUBLIC WORKS AUTHORIZED TO PROCURE AND ERECT SIGNS AND SIGNALS. Pursuant to §349.08, Wis. Stats., the Director of Public Works is hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Highway Division giving such notice of the provisions of this section as required by State law. Signs shall be erected in such locations and manner as the Director of Public Works shall determine will best effect the purpose of this section and give adequate warning to users of the street or highway.

(2) REMOVAL OF UNOFFICIAL SIGNS AND SIGNALS. The Director of Public Works shall have the authority granted by §349.09, Wis. Stats., and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this section or §346.41, Wis. Stats. Any charge imposed on a premises for removal of such an illegal sign, signal or device shall be reported to the City Council at its next regular meeting for review and certification.

(3) INSTALLATION OF OFFICIAL STOP SIGNS AT RAILWAY GRADE CROSSINGS. Pursuant to §349.085, Wis. Stats., it is hereby deemed necessary for the public safety that there be installation of official stop signs at the Soo Line Railroad crossing with W. Eleventh St., and Chicago & Northwestern Railroad crossing with Dixie St.

(4) PARKING SPACES FOR PHYSICALLY DISABLED. Signs identifying parking spaces reserved for vehicles used by physically disabled persons shall contain in addition to information required by the Wisconsin Statutes and Administrative Code, the penalty for violations contained in Section 7.20(5)(b) of the Code.

**7.10 BICYCLES.** See §7.01 of this chapter. There is hereby adopted §§346.02(4) and 346.77 to 346.81, Wis. Stats., relating to bicycles and play vehicles.

(1) DEFINITIONS. The following terms have the meanings indicated:

**Bicycle.** Every device propelled by the feet acting upon pedals and having wheels, any 2 of which are more than 14" in diameter.

## TRAFFIC CODE 7.10(2)

**Dealer in Bicycles.** Any person engaged in the sale of bicycles, retail or wholesale.

**Operate.** The word "operate" or any form thereof shall mean and refer to the use, putting into action or causing to function a bicycle by a person mounted thereon.

**Rental Agency.** Any person engaged in the business of offering for rental or offering rental of bicycles for hire by the public.

(2) **REGISTRATION AND LICENSE REQUIREMENTS.** No person residing in the City shall operate a bicycle upon any street, sidewalk or other public place in the City without having first registered such bicycle and secured a license/sticker visible in the proper registration area on the bicycle.

(a) Application. Application for registration and license for bicycles shall be made by the owner in writing upon forms furnished by the City. Such application shall be signed by the owner. If the owner is a person under the age of 18 years, the signature shall be witnessed by a parent of the owner and, if no parent is living, then by the legal guardian of the owner. The application form shall be presented at the City/County Government Center or retail locations designated by the Chief of Police

who shall promulgate rules for the issuance of licenses and collection of fees. Upon payment of a registration fee of \$6 by the applicant, the City shall issue or cause to be issued a proper license plate/sticker. No further application nor fee shall be required for use of such bicycle, unless ownership is transferred to a person not a member of the immediate family. The license/sticker will not be nonexpiring. Application for license shall be made within 10 days of the purchase or moving into the City of any bicycle.

(b) Loss, Sale or Destruction of Bicycles; Surrender of Licenses. When any bicycle which has been registered and licensed is sold, the seller shall retain the license and registration form and, if purchasing a new or different bicycle, notify the Police Department of the transfer for registration within 10 days. If a sticker is attached to a bicycle that is sold to somebody within the City, the new bicycle owner will have to pay a transfer fee for the transfer of that bicycle sticker registration number to their name so that the bicycle is properly registered to them. This may be done by obtaining a registration form from the City and stating on that form that this is a re-registration and paying the transfer fee of \$3. The purchaser of the previous owner's bicycle shall follow the procedure outlined in par. (a).

(c) Loss of or Illegible License Plates. Licensee shall report immediately to the Police Department the loss of or the illegibility or destruction of license plates/stickers.

## TRAFFIC CODE 7.10(3)

(3) RULES FOR RIDING AND OPERATING. All operators of bicycles shall observe and obey all laws dealing with vehicular traffic and, in addition to the rules contained in this chapter, shall obey the following:

(a) Every bicycle when operated upon a public roadway or trail shall be in good and safe mechanical condition.

(b) No bicycle, excepting a tandem, shall be used to carry any person except the operator, unless equipped with a child seat, in which case the following conditions and regulations shall be observed:

1. The operator shall be 16 years of age or older.
2. The passenger shall be 40 lbs. or less in weight.
3. The child seat shall be fastened securely to the bicycle.
4. Only one child seat shall be attached to the bicycle, except in the case of a tandem bicycle, in which case 2 seats may be attached.

5. The child seat referred to means a seat manufactured and designed for the purpose of attaching to a bicycle and equipped safely to be used by children 40 lbs. or less in weight.

(c) Persons riding bicycles upon a roadway shall ride single file on all roadways.

(d) No person operating a bicycle shall cling or attach himself or the bicycle to any other moving vehicle.

(e) The operator of a bicycle emerging from an alley, driveway, garage or private sidewalk shall stop the bicycle immediately prior to driving onto or across the public sidewalk or onto or across a public sidewalk line projected across an alley and shall exercise extreme care in making such movements.

(f) No person shall operate a bicycle upon a highway, bicycle lane or bicycle way during hours of darkness, unless such bicycle is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least 500' to the front of such bicycle. Such bicycle shall also be equipped with a red reflector that has a diameter of at least 2" of surface area on the rear, so mounted and maintained as to be visible from all distances from 50' to 500' to the rear when directly in front of lawful upper beams of headlamps on motor vehicles. A lamp emitting a red light visible from a distance of 500' to the rear may be used in addition to, but not in lieu of, the red reflector.

(g) Bicycles having wheels of a diameter of 20" or less may be operated on sidewalks, except where prohibited by official sign, but in single file only. Newspaper carriers, while making deliveries or collections, may ride a bicycle having wheels of a

## TRAFFIC CODE 7.10(4)

diameter of 20" on sidewalks. No bicycle shall be operated on the sidewalks of Main St. from Johnson St. to Western Ave. When approaching a pedestrian, a cyclist on the sidewalk shall reduce the speed of the cycle to that which is no greater than necessary to continue the safe operation of the cycle without the rider dismounting and shall not be increased until the pedestrian has been passed.

(4) **PARKING BICYCLES.** (a) Bicycles may not be parked on that part of Main St. extending from Western Ave. to Johnson St. Prohibited bicycle parking shall be indicated by adequate signage which will direct the cyclist to permitted bicycle rack parking in public or private parking lots and the public parking ramp.

(b) In all other permitted bicycle parking areas, no person shall park along buildings in such a manner as to interfere with the movement of pedestrians or on roadways where such parking may interfere with pedestrians or vehicle traffic or movement or with persons alighting from or entering a motor vehicle.

(5) **RIGHT, KEEP TO.** All bicycles when operated on roadways shall keep to the right and shall be operated as near as practicable to the right-hand edge of the roadway and, in the case of one-way streets, as near as practicable to either edge of the roadway.

(6) **SPEED.** No bicycle shall be operated at any time faster than the posted speed on street or highway and every bicycle shall be operated with reasonable regard to the safety of the rider and of other persons and property.

(7) **TRAFFIC REGULATIONS.** Every person operating a bicycle shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto and shall obey the orders and directions of every officer of the City authorized to direct or regulate traffic.

(8) **TRICK RIDING.** No person shall, while operating a bicycle, indulge or engage in any kind of stunt or acrobatics on any public roadway or trail.

(9) **URNS, STARTING, STOPPING.** The operator of a bicycle on a roadway, when making a right turn, shall follow the right-hand edge of the roadway and the operator of a bicycle on a roadway, when making a left turn, shall approach the point of turning in the traffic lane nearest the center of the roadway. No operator of a bicycle shall slow down, stop or attempt to turn without first indicating such movement as provided by law.

(10) **ADDITIONAL REGULATIONS FOR RIDING AND OPERATING BICYCLES.** (a) Yield Right-of-Way. Any person riding a bicycle shall yield the right-of-way in the following circumstances:

1. When 2 vehicles approach or enter an intersection at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the



## TRAFFIC CODE 7.10(10)(a)2

vehicle on the right. The operator of any vehicle driving at an unlawful speed forfeits any right-of-way which he would otherwise have.

2. The operator of a vehicle within an intersection intending to turn to the left across the path of any vehicle approaching from the opposite direction.

3. The operator of a vehicle shall stop as required before entering a through highway and shall yield the right-of-way to other vehicles which have entered or are approaching the intersection upon the through highway.

4. When entering a highway from an alley or from a point of access other than another highway.

5. When moving from a parked position.

6. When approaching any intersection at which a yield sign has been installed.

7. When intending to turn to the left into an alleyway or private driveway across the path of any vehicle approaching from the opposite direction.

(b) Riding Through Safety Zones. No rider of a bicycle shall ride through any safety zone, unless directed by traffic signals, a police officer or any official posted sign.

(c) Racing on Highways. No person operating a bicycle upon a public highway or street shall participate in any race, speed or endurance contest, unless such race or contest has a permit from the City.

(d) Obstructing View of Rider. No person shall ride a bicycle which is so loaded as to obstruct the view of the rider or to interfere with the safe operation of the bicycle.

(e) Crossing Sidewalk; Emerging from Driveway, Alley or Garage. Any person riding a bicycle shall stop before crossing a crosswalk, sidewalk or intersection or when emerging from an alley, garage or driveway.

(f) Blocking Road or Intersection. No person operating any bicycle shall block any road or intersection so as to interfere with other vehicles or with pedestrians.

(g) Riding on Vehicle. No person shall operate a bicycle from any part of a bicycle not intended for such use.

(h) Spilling Loads. No person shall operate any bicycle so loaded as to spill such load.

## TRAFFIC CODE 7.10(10)(i)

(i) Crossing Centerline of Highway. No operator of any bicycle shall cross the centerline of any roadway on the left in order to pass any other vehicle, unless the way ahead is clear and no traffic is approaching. No such operator shall cross the centerline on a grade or curve if such operator's view is obstructed for such a distance as to create a hazard in the event another vehicle might approach from the opposite direction.

(j) Marked Lanes on 2-Way Streets. If a roadway is divided into marked lanes, the operator of a bicycle shall:

1. Ride in the right lane, unless overtaking another vehicle or when about to make a left turn.
2. Ride within a single lane and change only when safe to do so.
3. If there are 3 lanes, the middle lane should be used only for passing or overtaking another vehicle or for making a left turn.

(k) Following Too Closely. The operator of a bicycle shall remain at a safe and reasonable distance behind any other vehicle.

(l) Approach of Emergency Vehicles. When an ambulance, fire engine or other emergency vehicle gives warning of its approach, the operator of a bicycle shall pull to the nearest curb in his lane of operation and stop until such emergency vehicle has passed.

(m) Following or Parking Near Fire Apparatus. No operator of a bicycle shall follow any fire apparatus closer than 500' or drive into or park within the same block where or within 300' of where the fire apparatus has stopped in response to an alarm.

(n) Crossing Railroad Tracks. No operator of a bicycle shall cross any railroad track, unless he can do so safely, and shall not drive on or across a railroad crossing under any of the following circumstances:

1. While any traffic officer or railroad employee signals to stop.
2. While any warning device signals to stop, except that if the operator of the vehicle, after stopping and investigating finds that no train is approaching, he may proceed.
3. Shall not drive through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

## TRAFFIC CODE 7.10(11)

(11) RENTAL AGENCIES. (a) Registration. No person shall rent or offer to rent any bicycles without first complying with the provisions of sub. (2) relating to registration and licensing of bicycles.

(b) Equipment. Bicycles offered for rent by a rental agency shall be equipped with the lights and other equipment required by this section and shall be kept in good and safe working condition. Rental agencies shall comply with all provisions of this section and shall be responsible for the condition of the bicycles they rent.

(c) Inspection. The Chief of Police or his designee may make periodic inspections of the rental agencies to insure compliance with the provisions of this section.

(12) OTHER PROVISIONS. (a) Inspection. Any member of the Police Department is authorized to inspect any bicycle at any time for the purpose of making a check of the license plate and license number, serial number and for the purpose of determining the mechanical condition of the bicycle.

(b) Removal of Serial Number or License. No person shall willfully or maliciously remove, destroy, mutilate or alter the serial number of any bicycle licensed hereunder or remove, destroy, mutilate or alter any registration card during the time in which the license or registration card is in force.

(c) Use of Bicycle Without Consent of Owner. No person shall use or operate any bicycle without the consent of the owner.

(d) Bicycle Without Serial Number. No person residing in the City or any dealer in bicycles operating in the City shall purchase, receive in trade or otherwise acquire any bicycle from which the serial number on the frame has been removed, destroyed, mutilated or altered without first reporting the same to the Chief of Police.

(e) Enforcement of Provisions. The Chief of Police shall enforce the provisions of this section.

(13) PENALTY, SUSPENSION, REVOCATION. (a) Any person who violates any provision of this section shall be subject to a forfeiture of not less than \$10 nor more than \$500. Juveniles under the age of 14 years who violate any provisions of this section shall report to bicycle court held on a date set by the Chief of Police. The Chief of Police will appoint an officer to conduct this court.

(b) If a juvenile appears for the third time within one year, the parents or guardian of the juvenile may be charged under the provisions of §346.77, Wis. Stats.

7.11 **ALL-TERRAIN VEHICLES**. Except as otherwise specifically provided in this chapter, the following sections of the Wisconsin Statutes are hereby adopted by reference and made a part of this section as if fully set forth herein. Any act required to

## TRAFFIC CODE 7.111

be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this section in order to secure uniform statewide regulation of all terrain vehicles in all areas of the State.

- 23.33(3)(a) Operating in a careless manner
- 23.33(3)(c) Operating on private property without consent
- 23.33(3)(e) Transporting loaded or uncased firearm or a strung or uncased bow
- 23.33(3)(f) Pursuing any animal
- 23.33(3)(g) Operating within 150' of a dwelling at a speed exceeding 10 mph
- 23.33(3)(h) Operating on frozen surface of public water within 100' of a person at a speed exceeding 10 mph
- 23.33(4) Illegal operation on or near highway
- 23.33(6) Equipment violations
- 23.33(7) Failure to report accident
- 23.33(12) Failure to stop for law enforcement officer

7.111 **NEIGHBORHOOD ELECTRIC VEHICLES.** (1) DEFINITION. Neighborhood Electric Vehicle (NEV) is defined in ss 340.01 (36r) and means a motor vehicle that is propelled by electric power and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for low speed vehicles. The definition of Neighborhood Electric Vehicle does not include a golf cart.

(2) STANDARDS. An NEV must be titled and registered by the State of Wisconsin, and must display a State-issued license plate. An NEV shall have four wheels and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and shall have a gross vehicle weight of less than 3000 pounds. An NEV shall have the following items of equipment:

- (a) Headlamps;
- (b) Stop lamps;
- (c) Front and rear turn signals;
- (d) Reflex reflectors, one red on each side as far to the rear as practicable, and one red on the rear;
- (e) An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror;
- (f) Parking brake;

## TRAFFIC CODE 7.111(2)(g)

- (g) A windshield that conforms to the federal safety standards on glazing;
- (h) A Vehicle Identification Number (VIN) that complies with federal law;
- (i) A Type 1 or Type 2 seatbelt assembly that conforms to federal law for each designated seating position.

(3) PERMITTED OPERATORS AND USES. Individuals who hold a valid Wisconsin drivers license may operate an NEV on any street within the jurisdictional limits of the City of Fond du Lac that has a posted speed limit of 35 miles per hour or less, except that no NEV may be operated on or cross:

- (a) STH 23 east of Country Lane or west of Peters Avenue;
- (b) USH 45 north of Scott Street or south of Pioneer Road;
- (c) STH 175 south of USH 41.

(4) TRAFFIC CODE. Operation of NEV's within the City of Fond du Lac shall comply with the provisions of the City Traffic Code.

(5) ENFORCEMENT. Enforcement of this ordinance regulating Neighborhood [Electric Vehicles shall be pursuant to Section 7.21 of the Code of Ordinances.](#)

7.12 **SNOWMOBILES.** (1) STATE STATUTES ADOPTED. Except as otherwise specifically provided in this chapter, the following sections of the Wisconsin Statutes are hereby adopted by reference and made a part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section:

350.01	Definitions
350.02	Operation of snowmobiles on or in the vicinity of a highway
350.03	Right-of-Way
350.04	Snowmobile races, derbies and routes
350.05	Operation by youthful operators restricted
350.07	Driving animals
350.08	Owner permitting operation
350.09	Head lamps, tail lamps and brakes
350.10	Miscellaneous provisions for snowmobile operation

## TRAFFIC CODE 7.12(2)

(2) OPERATION OF SNOWMOBILES PROHIBITED OR RESTRICTED. (a) No person shall operate a snowmobile on the following publicly owned property:

1. All public parks, unless designated by the Park Board (City Manager) allowing operation of snowmobiles.
2. Schools and school playgrounds.
3. Sidewalks.

(b) Persons shall be prohibited from operating a snowmobile within the City between the hours of 10 p.m. and 7 a.m., except to proceed from home to another destination or vice versa via a legal route at a speed not to exceed 10 mph.

(3) OPERATION ON PRIVATE PREMISES RESTRICTED. No person shall operate a snowmobile on any private property not owned or controlled by him within the City without the express consent or permission of the owner.

**7.13 ADULT SCHOOL CROSSING GUARDS.** Adult school crossing guards, the location of which shall be determined by the Advisory Parking and Traffic Board, shall be appointed by the City Manager or the Manager's designee. The number and compensation of adult school crossing guards shall be determined by the City Council. Adult school crossing guards shall direct and guide children at street and railroad crossings where assigned. They shall not have the power of arrest. All crossing guards shall be furnished with standard insignia and with standard signs to direct traffic to stop at school crossings. The training and supervision of adult school crossing guards shall be under the direction of the Chief of Police and the Chief's designee.

**7.14 SKATEBOARDS PROHIBITED.** No person shall operate, ride or propel a skateboard, in-line skates or roller skates within any portion of the right-of-way of Main St. from Johnson St. to Sixth St.

**7.15 GENERAL REGULATIONS FOR USE OF IN-LINE SKATES.** (1) STATE LAWS APPLICABLE. Every person using in-line skates upon a public roadway shall be subject

to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and those provisions which by their nature would have no application.

(2) SIDEWALKS OR WALKWAYS. Every person using in-line skates upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other persons proceeding in the same direction.

(3) IN-LINE SKATERS TO STAY ON RIGHT SIDE OF ROAD. Every person using in-line skates on a public roadway shall keep as close to the right hand curb as possible.

## TRAFFIC CODE 7.15(4)

(4) CLINGING TO MOVING VEHICLES PROHIBITED. It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.

(5) OBSERVANCE OF TRAFFIC REGULATIONS. Every person using in-line skates upon a public roadway shall stop for all arterial and automatic traffic signals.

(6) ONE-WAY STREETS. Every person using in-line skates upon a one-way street shall proceed in the direction of the one-way traffic.

(7) OPERATING TWO (2) ABREAST PROHIBITED. Every person when using in-line skates upon a public roadway shall proceed in single file only.

(8) YIELDING TO TRAFFIC. The operator of a vehicle shall yield the right-of-way to a user on in-line skates in the same manner as for bicyclists and pedestrians under Sections 346.23, 346.24, 346.37 and 346.38 of the Wisconsin Statutes. Every person when using in-line skates shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians under Sections 346.23, 346.24, 346.37 and 346.38 of the Wisconsin Statutes.

(9) NIGHT SKATING. No person shall use in-line skates upon a public roadway between the hours of thirty (30) minutes after sunset and thirty (30) minutes before sunrise unless that person is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front and red reflective material or red light visible at least 500 feet when illuminated by the beams of motor vehicle headlamps.

(10) IN-LINE SKATES PROHIBITED. No person shall use in-line skates within the roadway in the following areas:

Johnson St.

Scott St.

Macy St., from Merrill Ave. to Western Ave.

Marr St., from Merrill Ave. to Fifth St.

(11) PENALTY. (a) Any person convicted of a violation of any provision of this ordinance with a statutory counterpart shall be penalized in conformity with the state statutes.

(b) Any person convicted of a violation of any provision of this ordinance without a statutory counterpart shall pay a forfeiture of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) for a first offense and not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for a second or subsequent offense within a twelve month period.

**7.16 SITTING OR LEANING ON PARKED VEHICLES.** (1) No person shall stand, sit, lay, lean, sprawl, or otherwise be located upon any portion of a motor vehicle parked

## TRAFFIC CODE 7.20(2)

within the public right-of-way except those portions of said vehicle specifically designed or intended for the use of passengers.

(2) **PENALTY.** Any person convicted of a violation of this ordinance shall be subject to the penalties contained in §25.04 of the Code of Ordinances of the City of Fond du Lac, Wisconsin.

**7.20 PENALTY.** The penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required by §165.87, Wis. Stats., a jail assessment if required by §53.46(1), Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats.

(1) **STATE FORFEITURE STATUTES.** Any forfeiture for violation of the State Statutes adopted by reference in §7.01 of this chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the State of Wisconsin Revised Uniform State Traffic Deposit Schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

(2) **STATE FINE STATUTES.** The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

(3) **LOCAL REGULATIONS.** The penalty for violation of §§7.02 through 7.14 of this chapter shall be as provided in §25.04 of this Code of Ordinances.

(4) **PARKING VIOLATIONS.**

		<b>Forfeiture</b>	
		<b>Min.</b>	<b>Max.</b>
346.51(1)	Improper parking on/off roadway .....	\$30	\$300
346.52(1)	Stopping/standing in prohibited areas.....	20	40
	Second conviction within one year.....	50	100
346.52(2)	Stopping/standing on highway by grade school....	20	40
	Second conviction within one year.....	50	100
346.53	Parking/standing where prohibited.....	20	40
	Second conviction within one year.....	50	100
346.54	Improper parking/standing of vehicle .....	20	40
	Second conviction within one year.....	50	100
346.55(1)	Parking on left side of highway .....	30	300
346.55(2)	Parking vehicle for sale on highway.....	30	300
346.55(3)	Parking on posted private property .....	20	40
	Second conviction within one year.....	50	100



## TRAFFIC CODE 7.21(5)

(5) **PARKING TICKET VIOLATIONS.** (a) Any person who violates the provisions of §§7.05 above, except those relating to unauthorized vehicles parking or standing in a space reserved for the physically disabled, may within 10 days after the date of violation pay to the City as a penalty for and in full satisfaction of such violation the sum of \$20. Thereafter, the penalty shall be \$30.

(b) Any person who violates any provision relating to unauthorized vehicle parking or standing in a space reserved for the physically disabled shall within 5 days after violation pay to the City as a penalty for and in full satisfaction of such violation the sum of \$200.

**7.21 ENFORCEMENT.** (1) **ENFORCEMENT PROCEDURE.** This chapter shall be enforced according to §§23.33, 66.12, 345.11 to 345.61, 350.17 and Ch. 799, Wis. Stats.

(2) **DEPOSIT.** (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the Police Department or the office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered plea of no contest and submitted to a forfeiture and penalty assessment if required by §165.87, Wis. Stats., a jail assessment if required by §53.46(1), plus any applicable fees prescribed in Ch. 814, Wis. Stats., not to exceed the amount of the deposit that the court may accept as provided in §345.37, Wis. Stats.

2. If the person fails to make a deposit for a violation of a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his arrest.

(b) The amount of the deposit shall be determined in accordance with the State of Wisconsin Revised Uniform State Traffic Deposit Schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under §165.87, Wis. Stats., jail assessment and court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Chief of Police, which shall include the penalty assessment established under §165.87, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.

(c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by §345.26(3)(b), Wis. Stats.

(3) **PETITION TO REOPEN JUDGMENT.** Whenever a person has been convicted in this State on the basis of a forfeiture of deposit or a plea of guilty or no contest and

## **TRAFFIC CODE 7.21(4)**

the person was not informed as required under §345.27(1) and (2), Wis. Stats., the person may, within 60 days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on merits. If the court finds that the petitioner was not informed as required under §345.27(1) and (2), the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.

(4) NOTICE OF DEMERIT POINTS AND RECEIPT. Every person accepting a forfeited penalty or money deposit under this chapter shall receipt therefor as provided in §345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of §§343.28 and 345.26(1)(a), Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the traffic citation promulgated under §345.11, Wis. Stats.

(5) FORFEITURE IN TREASURY, OFFICER TO QUALIFY. Any officer accepting deposits or forfeited penalties under this chapter shall deliver them to the City Treasurer within 20 days after receipt. Any officer authorized to accept deposits under §345.26, Wis. Stats., or this chapter shall qualify by taking the oath prescribed by §19.01, Wis. Stats.